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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,)
9 Plaintiff,)
10 v.) 2:11-CR-402-JCM (RJJ)
11 ERICK TALLEY,)
12 Defendant.)

13 **PRELIMINARY ORDER OF FORFEITURE**

14 This Court finds that on April 4, 2012, defendant ERICK TALLEY pled guilty to a Criminal
15 Indictment, charging him with Felon in Possession of a Firearm in violation of Title 18, United
16 States Code, Section 922(g). Docket #1.

17 This Court finds defendant ERICK TALLEY agreed to the forfeiture of the property set forth
18 in Forfeiture Allegation of the Criminal Indictment and agreed to in the Plea Memorandum. #1, 24,
19 #25.

20 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), that the United States of
21 America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the
22 Criminal Indictment and the offense to which defendant ERICK TALLEY pled guilty.

23 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
24 924(d)(1) and Title 28, United States Code, Section 2461(c):

- 25 a. a Ruger P95, 9mm handgun, serial number 317-42599; and
26 b. any and all ammunition (“property”).

1 This Court finds the United States of America is now entitled to, and should, reduce the
2 aforementioned property to the possession of the United States of America.

3 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
4 United States of America should seize the aforementioned property.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
6 ERICK TALLEY in the aforementioned property is forfeited and is vested in the United States of
7 America and shall be safely held by the United States of America until further order of the Court.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
9 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
10 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
11 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state
12 the name and contact information for the government attorney to be served with the petition,
13 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
15 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
17 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
18 following address at the time of filing:

19 Michael A. Humphreys
Assistant United States Attorney
20 Daniel D. Hollingsworth
Assistant United States Attorney
21 Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
22 Las Vegas, Nevada 89101.

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
24 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency

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1 following publication of notice of seizure and intent to administratively forfeit the above-described
2 property.

3 DATED April 24, 2012.

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UNITED STATES DISTRICT JUDGE
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CM/ECF:
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/s/ Elizabeth Baechler-Warren
Elizabeth Baechler-Warren
Forfeiture Support Associate Paralegal